Proceedings of the Mysore Tenancy Agricultural Land Laws Committee, S. K. district, Mangalore.

Camp: Mangalore

SOUTH KANARA DISTRICT

Shri P. Vasudeva Rao, B.A.,B.L. Advocate on behalf of landlords and Agriculturists' Association of South Kanara stated as follows:

" I am presenting a Memorandum containing replies to the questionnaire. If any further elucidation is necessary, I shall be happy to reply to any points. While answering the questions, the Association has borne in mind the history of relations between the tenants and landlords in this District. The landlords who have paid for the lands and purchased them cannot properly be made to part with their lands. A majority of the landlords own very small holdings. A majority of the 1,60,000 pattadars in this district have very small holdings. The method of sharing the produce of the land is unknown in this district. The rent for the land is paid by the tenant to the landlord in convenient instalments, i.e. first instalment after harvest of the first paddy crop and 2nd instalment after the harvest of the 2nd crop (suggi crop). There is almost a uniform rate of rent fixed with reference to different kinds and grades of fields and regarding the fixing up of a fair rent, in case of dispute between the tenant and the landlord, there would be no unwillingness found on the part of the landlords to settle it to the tenants' satisfaction. When an enquiry was made about the allegations made by tenants against landlords harassing them no cases of evictions were found; evictions were at the most not more than one per cent. Hence this would show that the cry of evictions was quite unfounded. Some kind of discontentment has been fostered in the minds of the tenants by holding out false promises by certain political parties during the last few years. In other words the cry for further legislation has come from without and not from the tenants. The tenants' class is happy and if any demand is made it is from the urban labour community and not tenants as such. After

detailed enquiries the Madras Acts have been introduced.

Fifty per cent of the gross produce would be a fair share for the landlord and any further reduction would hit the agricultural industry hard. Certain progisions of the Acts have beenstayed by the Mysore Government; but a landlord cannot resume his lands. From ancient times, there has been no rent-sharing in this district and no reform should introduce it. We have no irrigation system in this district; we mainly depend on rains. If any legislation is called for in this district, we have already got it inthe two enactments. The land ownership is one of the best forms of proprietorship and the landowners rightly looked upon their lands for sustenance. If at all any land legislation or reform is to be introduced, it may be brough after a period of 30 years - a period to enable a landlord to dis-associate himself from the land. Even by the present legislation, the landlords have been hit hard. Thirty three and one third per cent is not a fair share. Sixty to eighty per cent should be left to the landlord. No common tenancy law would be suitable for the entire Mysore State as conditions in the various integrated parts are not similar. All the crop in this district is rain-fed and there is facility of irrigation the conditions of monsoon are also different.

Regarding the application of Bombay Act to this district, the Act is revolutionary and prejudicial and not conducive either to the interests of the tenant or to the interests of the landlord. Further, other officers are given the powers of the judicial officers. Under the Madras Act the fixation of rent is entrusted to Revenue Officers; but their hands are already full. They do not possess the judicial acumen also. Hence matters relating to fixation of rent and other matters should be left to judicial authorities instead of Revenue Offi cers. There is also no justification for excluding lawyers. Even in Malabar Tenancy Act there is no such exclusion. Under the Madras Act also there is no such exclusion.

Ceiling on the extent of land: Fixing up of certain ceiling limit on holding land ought not to be enforced, there being no ceiling on other forms of ownership. This would mean discrimination of one class of people from another. Agricultural ownership is the earliest known form of proprietorship. No ceiling should therefore be imposed on it; if at all it has to be done it should be on further acquisition. There is also no justification for compulsory purchase by tenants.

As regards exemption from tenancy law, the classes suggested must be exempted from all restrictions, either as regards ceiling or other matters. The trusts, educational or religious, should be completely exempted from restrictions.

As regards immediate legislation we have already said that there is at present some legislation and it may not be desirable in the interests of the public to introduce any further legislative measures. As regards tenure we have suggested five years. About family holding, taking a family as consisting of 5 members, we have suggested that the ceiling should be 35 acres of wet land as the minimum. Punja lands the so called dry lands in this district - are very poor in fertility and they are mostly used as an adjunct for cultivation and are not otherwise productive. The punja lands should be excluded from consideration of the area to be retained by the landlord. The bagayats in this district also are not really fertile lands and they are leased as an aid to cultivation; bagayats lands are not leased by themselves.

For standard acr we have suggested that only first class land should be taken into account. Only areaa lands should be considered as garden lands in this district.

Most of the landlords in this district are governed by the Aliyasanthana law of succession. One some aliayasanthana families could get their properties divided between themselves but in most of the cases, the ownership of land has not yet been settled and the cases are pending settlement in the Courts in the district. In some ~~xxxx~~ aliyasanthana families, there

there are instances of 100 or more members living in one family. If the Mysore new Act is to be enforced on such aliyasanthana families the interests of the several members of the family will be adversely affected.

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